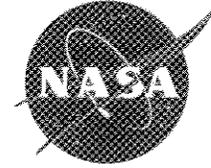


National Aeronautics and Space Administration

Headquarters

Washington, DC 20546-0001



May 8, 2009

Reply to Attn of:

General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Approval for Headquarters Employees with Senior Institutional or Project Responsibilities to Attend an STS-125 Pre-Launch Reception and Launch Viewing Co-sponsored by NASA and NASA Contractors

In accordance with 5 C.F.R. § 2635.204(g)(2) and (3), I make the following determination:

On May 11, 2009, a number of NASA Headquarters employees will attend a pre-launch reception and viewing of the STS-125 launch co-sponsored by NASA, the United Space Alliance, ATK, Boeing, Lockheed Martin, Ball Aerospace, Pratt & Whitney Rocketdyne, SAIC, Honeywell, Jacobs, Barrios Technology, Wyle, ITT, SpaceHab/Astrotech, Teledyne, Sierra Lobo, Orbital Sciences, and Hubble contractors. The event will begin at noon in Building OSB-II on the Kennedy Space Center grounds.

This event will be a widely-attended gathering of representatives from industry, the Executive and Legislative Branches of the U.S. Government, state officials, and NASA and other Federal employees. The industry co-sponsors will be providing food and beverages at a cost of approximately \$54.86 per person and approximately 350 individuals are expected to attend. I find that the event meets the requirements of a "widely attended gathering" as defined in 5 C.F.R. § 2635.204(g)(2).

Some Headquarters personnel attending this event have duties that may substantially affect the interests of the industry co-sponsors.¹ These personnel are similarly situated in that they each have senior institutional or project responsibilities that could significantly influence current or future contracts with the co-sponsors.

¹ These personnel include the NASA Administrator (Acting), the Associate Deputy Administrator, Executive Director of National Science and Technology Council, Executive Officer to the NASA Administrator, Chief of Strategic Communications (Acting), Associate Administrator (AA) and Deputy AA of Space Operations Mission Directorate, AA of Science Mission Directorate (SMD), Director of Astrophysics in SMD, Chief Financial Officer, AA for Institutions and Management, AA and Deputy AA of Program Analysis & Evaluation, AA for Education, Assistant Administrators for Education and Public Affairs (Acting), and Program Specialists in the Offices of the Administrator, PA&E, External Relations, Legislative Affairs, Public Affairs, and the Office of General Counsel.

I have determined that free attendance of these senior institutional and project leaders at the event is in the interests of the Agency because it will allow NASA employees to discuss the Vision for Space Exploration, the Space Shuttle program, and the STS-125 mission with the other attendees. This event is co-sponsored by NASA and the attendance of these senior NASA employees at the event will help to raise NASA's profile with national, state, and local business and governmental leaders; will contribute to community relations; and will support NASA's statutory mandate to disseminate information concerning its activities.

The total per-person cost for the event is estimated at \$54.86. Given the purpose of the event, the alignment of the event's interests with NASA's, the broad attendance anticipated, and the modest market value of the event, I have determined that the value to the agency in having these senior institutional and project leaders attend this event outweighs any concern that free attendance may or may appear to improperly influence them in the performance of their duties.

Accordingly, NASA employees in the positions identified above may accept free attendance at the event. They may also accept invitations for accompanying spouses or guests. Attendance by employees whose duties do not substantially affect the sponsors and employees and NASA employee's who are in non-career positions and signed the ethics pledge is addressed in a separate determination.

Questions about this determination may be addressed to Jim Reistrup at 202-358-2027.

A handwritten signature in cursive script, appearing to read "James Reistrup for". The signature is written in black ink and is positioned above the typed name "Adam F. Greenstone".

Adam F. Greenstone